

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2019

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.34775 of 2018

M/s.GLACIER SPRING AQUA SERVICES (P) LTD.,
No.289/ 1C 1B, Garden Road, Alamathi,
Chennai-600 052 and also at No.289/1C 2,
Garden Road Alamathi,
Chennai-600 052 Rep. by its
Managing Director T.Prabhakaran .. Petitioner

Vs.

1. The District Collector,
The Officer of Collectorate,
Thiruvallur.
2. The Revenue Divisional Officer,
Railway Station Road,
NGO Colony,
Ponneri, Tamil Nadu.
3. The Revenue Inspector,
Sholavaram, Ponneri.
4. The Tahsildar,
Ponneri Taluk,
Thiruvallur District. .. Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the fourth respondent herein to reply to the second respondent's letter in Na.Ka.3300/2018/A1, dated 22.11.2018 and further direct the second respondent to grant patta to the petitioner for the petitioner's land situated at Old S.No.289/1C2 Part, New S.No.289/1C2C, Alamathi Village, Ponneri Taluk, Thiruvallur, measuring about 9410 sq.ft.

For Petitioner : Mr.M.Sriram
For Respondents : Mr.V.Shanmugasundar
Special Government Pleader

O R D E R

The instant Writ Petition has been filed for issuance of a Writ of Mandamus to direct the fourth respondent herein to reply to the second respondent's letter in Na.Ka.3300/2018/A1, dated 22.11.2018 and further direct the second respondent to grant patta to the petitioner for the petitioner's land situated at Old S.No.289/1C2 Part, New S.No.289/1C2C, Alamathi Village, Ponneri Taluk, Thiruvallur, measuring about 9410 sq.ft.

2. According to the learned counsel appearing for the petitioner, he is the owner of the land and building mentioned above. He purchased the above property from his vendor viz., P.Nirmal Kumar, by a registered Sale Deed dated 13.12.2005, registered as Document No.6716/2005 before the Sub Registrar Office, Redhills. From the date of purchase, he is in absolute possession of the said property. He further submits that his vendor had patta for 9 acres of property and after he purchased the property, he had applied for patta through online, but, the same was granted only for an extent of 6 acres and there has been a mistake in the measurement in patta. Therefore, he had sent a representation dated 30.01.2018 to the 1st respondent to grant patta for the entire 9 acres. Since there was a delay in granting patta, the Bank official with whom the petitioner had mortgaged the property is levying penal charges, hence the present Writ Petition is filed.

3. Heard Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the respondents.

4. It is the fact that there is a dearth of surveyors in many of the Taluk Offices and there are many petitions and requests as that of the petitioner herein are waiting for their properties to be surveyed. Hence, the fourth respondent/Tahsildar, Ponneri Taluk, Thiruvallur District, is directed to have a list of such requests and conduct the survey as per the order of priority. However, any such request for survey of the land shall be done, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity

of personal hearing, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar

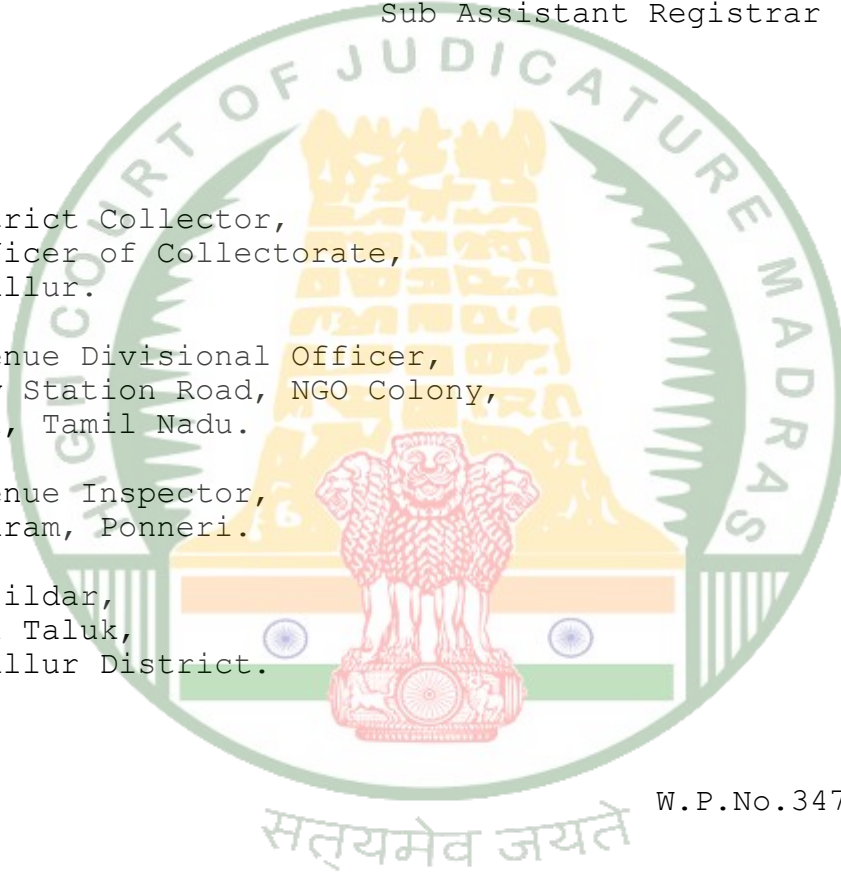
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Sub Assistant Registrar

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To

- 1.The District Collector,
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Thiruvallur.
- 2.The Revenue Divisional Officer,
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GJ(CO)
CSL/21.02.2019

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